

#### **401 KAR 5:045. Biochemically degradable wastes; treatment.**

RELATES TO: KRS 224.10-100, 224.70-100, 224.70-110

STATUTORY AUTHORITY: KRS 224.10-100(19), (21)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(19) requires the cabinet to issue, continue in effect, revoke, modify, suspend, or deny permits to discharge into waters of the Commonwealth. KRS 224.10-100(21) authorizes the cabinet to require technological levels of treatment and effluent limitations. This administrative regulation requires a minimum of secondary treatment or best conventional pollutant control technology for a facility that receives biochemically degradable wastes.

Section 1. Applicability. (1) A facility that receives an influent that is biochemically degradable and discharges into waters of the Commonwealth shall provide a minimum of secondary treatment to that influent prior to its discharge.

(2) A facility subject to treatment requirements established in 401 KAR 5:080, Section 2 shall be exempt from the requirements of this administrative regulation.

Section 2. Secondary Treatment. Secondary treatment shall be the degree of treatment that results in an effluent quality that meets the minimum requirements:

(1) Biochemical oxygen demand, five (5) days.

(a) The arithmetic mean of the values for effluent samples collected during a period of thirty (30) consecutive days shall not exceed thirty (30) milligrams per liter.

(b) The arithmetic mean of the values for effluent samples collected during a period of seven (7) consecutive days shall not exceed forty-five (45) milligrams per liter.

(2) Suspended solids.

(a) The arithmetic mean of the values for suspended solids in effluent samples collected during a period of thirty (30) consecutive days shall not exceed thirty (30) milligrams per liter.

(b) The arithmetic mean of values for suspended solids in effluent samples collected during a period of seven (7) consecutive days shall not exceed forty-five (45) milligrams per liter.

Section 3. Continuation of a Permit. A person responsible for an existing facility that receives biochemically degradable influent and discharges into waters of the Commonwealth shall apply for a permit to continue to discharge to the waters of the Commonwealth not later than 180 days prior to the expiration of the current permit. (1 Ky.R. 763; Am. 1383; eff. 7-2-1975; 2 Ky.R. 500; eff. 5-12-1976; 10 Ky.R. 430; 888; eff. 2-1-1984; TAm eff. 8-9-2007; 36 Ky.R. 2112-M; 37 Ky.R. 44; eff. 8-5-2010.)